

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

**LEX-0489-USA**

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Gregory Donoho, entitled Novel Human Kinase Protein and Polynucleotides Encoding the Same, for a(n):

( ) Original Patent Application.

(X) Continuing Application (prior application not abandoned):

(X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)

of prior Application No. 09/765,068, filed on 01/18/2001.

( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

## Enclosed are:

(X) Specification; 29 Total Pages. ( ) Drawing(s);   Total Sheets.

(X) Oath or Declaration:

( ) A Newly Executed Combined Declaration and Power of Attorney:

( ) Signed.

( ) Unsigned.

( ) Partially Signed.

(X) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

(X) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

(X) Power of Attorney.

(X) Return Receipt Postcard.

( ) Associate Power of Attorney.

( ) A Check in the amount of \$   for the Filing Fee.

(X) Preliminary Amendment.

( ) Information Disclosure Statement and Form PTO-1449.

( ) A Certified Copy of Priority Documents (if foreign priority is claimed).

( ) Applicant claims small entity status.

(X) Other: Statement under 37 C.F.R. §§ 1.821(e)(f) (Seq. listing 3 pages); Request to make Prior Art from Previous Application of Record with Exhibit A (copies of Form PTO 1449(s) from Previous Application); and Copy of Assignment from Previous Application

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	4	0	\$18.00	\$0.00
Independent Claims	3	0	\$86.00	\$0.00
Multiple Dependent Claim Fee (if applicable)				\$0.00
Assignment Recording Fee (if applicable)				\$0.00
Basic Filing Fee				\$770.00
Total Filing Fee				\$770.00

## Customer # 24231

Respectfully submitted,

By: Lance K. Ishimoto

Lance K. Ishimoto, Attorney of Record, Reg. No. 41,866

Date April 21, 2004

Correspondence Address:

Lance K. Ishimoto  
LEXICON GENETICS INCORPORATED  
8800 Technology Forest Place  
The Woodlands, TX 77381  
Phone: (281) 863-3333  
Fax: (281) 863-3335

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313

By: Nancy StaceyTyped Name: Nancy StaceyExpress Mail Label No.: EV322477529USDate of Deposit: April 21, 2004